

IAP7 Rec'd PCT/PTO 17 JUL 2006

FROM McANDREWS, HELD, & MALLOY

(MON) 7.17'06 15:40/ST. 15:39/NO. 4861050035 P 1



McANDREWS, HELD & MALLOY
34TH FLOOR
500 WEST MADISON STREET
CHICAGO, ILLINOIS 60661

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TO: Mail Stop MISSING PARTS FAX NO.: 571-273-8300
Commissioner for Patents

FROM: Kirk A. Vander Leest USER ID: 8263

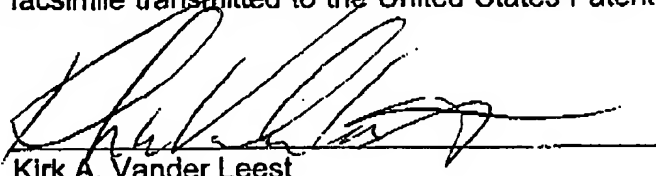
CLIENT: 02120 MATTER: 16966US01

Number of Pages This Transmission (Including Cover Page): 11

I hereby certify that the attached

- 1) Transmittal Form;
- 2) Fee Transmittal (in duplicate)
- 3) Completion of Filing Requirements;
- 4) Executed Declaration;
- 5) Power of Attorney;
- 6) Copy of Notification of Missing Requirements

for U.S. Serial No. 10/549,689 are being facsimile transmitted to the United States Patent and Trademark Office on July 17, 2006.


Kirk A. Vander Leest
Reg. No. 34,036

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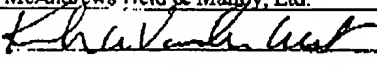
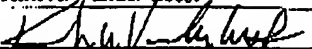
JUL 17 2006 15:40/ST. 15:39/NO. 4861050035 P 2

PTO/SB/21 (09-04)

Approved for use through 7/31/2006

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/549,689			
		Filing Date	September 16, 2005			
		First Named Inventor	Michael J. Fox			
		Art Unit				
		Examiner Name				
Total Number of Pages in This Submission	10	Attorney Docket Number	18966US01			
ENCLOSURES (check all that apply)						
<table border="0"> <tr> <td style="vertical-align: top;"> <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 </td> <td style="vertical-align: top;"> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD </td> <td style="vertical-align: top;"> <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Return-Receipt Postcard <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration Power of Attorney </td> </tr> </table>				<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Return-Receipt Postcard <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration Power of Attorney
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Return-Receipt Postcard <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration Power of Attorney				
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm	McAndrews Held & Malloy, Ltd.					
Signature						
Printed Name	Kirk A. Vander Leest, Reg. No. 34,036					
Date	July 17, 2006					
CERTIFICATE OF FAX TRANSMITTAL						
I hereby certify that this correspondence is being sent via facsimile to Mail Stop MISSING PARTS, Commissioner of Patents, at the United States Patent and Trademark Office July 17, 2006.						
Name (Print/type)	Kirk A. Vander Leest	Registration No. (Attorney/Agent)	34,036			
Signature		Date	July 17, 2006			

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FROM McANDREWS, HELD, & MALLOY

JUL 17 2006 06 15:41/ST. 15:39/NO. 4861050035 P 3

PTO/SB/17 (01-06)
Approved for use through 07/31/2006. OMB 0851-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2006		Complete if Known																																																							
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number: 10/549,689	Filing Date: September 18, 2005																																																						
TOTAL AMOUNT OF PAYMENT (\$) 980.00		First Named Inventor: Michael J. Fox	Examiner Name: N/A																																																						
METHOD OF PAYMENT (check all that apply)		Art Unit: N/A	Attorney Docket No.: 10966US01																																																						
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____ <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>13-0017</u> Deposit Account Name: <u>McAndrews Held & Malloy</u> For the above-identified deposit account, the Director is hereby authorized to (check all that apply): <input checked="" type="checkbox"/> Charge Fee(s) indicated below <input type="checkbox"/> Charge Fee(s) indicated below, except for the filing fee <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fees(s) <input checked="" type="checkbox"/> Credit any overpayments under 37 CFR 1.16 and 1.17																																																									
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																																																									
FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)																																																									
1. BASIC FILING, SEARCH, AND EXAMINATION FEES																																																									
<table border="1" style="width:100%; border-collapse: collapse; font-size: x-small;"> <thead> <tr> <th rowspan="2">Application Type</th> <th colspan="2">FILING FEES</th> <th colspan="2">SEARCH FEES</th> <th colspan="2">EXAMINATION FEES</th> <th rowspan="2">Fees Paid(\$)</th> </tr> <tr> <th>Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee (\$)</th> <th>Small Entity Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>Utility</td> <td>300</td> <td>150</td> <td>500</td> <td>250</td> <td>200</td> <td>100</td> <td></td> </tr> <tr> <td>Design</td> <td>200</td> <td>100</td> <td>100</td> <td>50</td> <td>130</td> <td>65</td> <td></td> </tr> <tr> <td>Plant</td> <td>200</td> <td>100</td> <td>300</td> <td>150</td> <td>160</td> <td>80</td> <td></td> </tr> <tr> <td>Reissue</td> <td>300</td> <td>150</td> <td>500</td> <td>250</td> <td>600</td> <td>300</td> <td></td> </tr> <tr> <td>Provisional</td> <td>200</td> <td>100</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td></td> </tr> </tbody> </table>				Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid(\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Utility	300	150	500	250	200	100		Design	200	100	100	50	130	65		Plant	200	100	300	150	160	80		Reissue	300	150	500	250	600	300		Provisional	200	100	0	0	0	0	
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2. EXCESS CLAIM FEES																																																									
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3. APPLICATION SIZE FEE																																																									
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).																																																									
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-100	/50	(round up to a whole number)	x	=																																																					
4. OTHER FEE(S)																																																									
Non-English Specification, \$130 fee (no small entity discount)																																																									
Other (e.g., late filing surcharge): Surcharge for late submission of oath or declaration 130.00																																																									
SUBMITTED BY																																																									
Signature	Registration No. (Attorney/Agent)		Telephone																																																						
Name (print/type)	Date	34,036	(312)775-8000																																																						
			July 17, 2006																																																						

**RECEIVED
CENTRAL FAX CENTER****JUL 17 2006****Attorney Docket No. 16966US01****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****PATENT**

In the Application of:

Michael J. Fox

Serial No.: 10/549,689

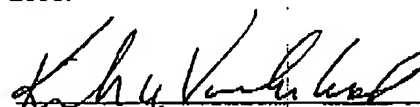
Filed: September 16, 2005

Intl. App. No.: PCT/EP2004/002703

Intl. Filing Date: March 16, 2004

Title: A DEVICE FOR NON-
INVASIVELY DETECTING
OR MONITORING A MEDICAL
CONDITION IN A MAMMAL**CERTIFICATE OF FAX TRANSMISSION**

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Stop Missing Parts, Commissioner of Patents, at the
United States Patent and Trademark Office July 17,
2006.

Kirk A. Vander Leest
Reg. No. 34,036**COMPLETION OF FILING REQUIREMENTS**Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

This replies to the Notice to File Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) dated May 16, 2006, a copy of which is enclosed. The above-identified application was filed without an oath or declaration. The enclosed are being submitted to complete the filing requirements:

1. An executed Declaration For Utility Or Design Patent Application (37 CFR 1.63);
2. Power of Attorney and Correspondence Address Indication Form executed by the inventor;

Serial No.: 10/549,689
Response to Missing Parts
Page 2 of 2

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JUL 17 2006

3. A copy of Notification of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US); and
4. A Fee Transmittal for payment of the \$130 late fee surcharge and the \$850 multiple dependent claim fee.

On July 7, 2006, by telephone, Ms. Karen R. McLean revised the total claims from 31 to 23 claims, including multiple dependent claims, over 20. The new fee is \$850 (\$1,150, less the \$300 fee that was paid at the time of filing the application).

The Commissioner is hereby authorized to charge the \$130.00 surcharge for the late submission of the oath or declaration and the additional requisite fee of \$850.00 for the multiple dependent claims, and any additional fees which may be required in connection with this submission or credit any overpayment to Account No. 13-0017.

Respectfully submitted,


Kirk A. Vander Leest
Reg. No. 34,036

Date: July 17, 2006

07/20/2006 HKAYPAGH 00000120 10549689

01 FC:1617	130.00 DA
02 FC:1615	850.00 DA

McAndrews, Held & Malloy, Ltd.
500 West Madison St., Suite 3400
Chicago, Illinois 60661
(312) 775-8000
(312) 775-8100 (fax)
kvanderleest@mhmlaw.com

16966US01
AKM

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United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22304-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/549,689	FIRST NAMED APPLICANT Michael James Fox	ATTY. DOCKET NO. 16966US01
INTERNATIONAL APPLICATION NO. PCT/EP04/02703		
I.A. FILING DATE 03/16/2004	PRIORITY DATE 03/18/2003	

Kirk A Vander Leest
McAndrews Held & Malloy, Ltd.
34th Floor
500 W Madison St
Chicago, IL 60661

RESPONSE DUE:

Ms. Reg. 7-16-06

CONFIRMATION NO. 9586

371 FORMALITIES LETTER

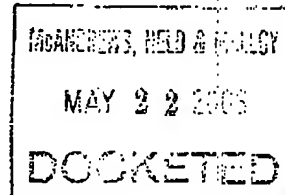
CC500000018723433

Date Mailed: 05/16/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/16/2005
- Copy of the International Search Report filed on 09/16/2005
- Copy of IPE Report filed on 09/16/2005
- Copy of Annexes to the IPE filed on 09/16/2005
- U.S. Basic National Fees filed on 09/16/2005
- Priority Documents filed on 09/16/2005
- Specification filed on 09/16/2005
- Claims filed on 09/16/2005
- Abstracts filed on 09/16/2005
- Drawings filed on 09/16/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$1250 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$1380 for a Large Entity:

- \$130 Surcharge.
- Total additional claim fee(s) for this application is \$ 1250
 - \$1250 for 31 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/549,689	PCT/EP04/02703	16966US01

FORM PCT/DO/EO/905 (371 Formalities Notice)